

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP –GADWAL -Mahabubnagar District – Dharoor (Mandal) Nettempad (Village) - O.P.No.510/96 - Sanction of decretal charges of **Rs.55,167/--** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 872

DATE:07.11.2009

Read:

- 1) From the Special Collector, LA, Bheema Project, Mahabubnagar District Lr.No.E2/PJP/194/2009, dt:29.04.2009.
- 2) From the Secy.to CCLA, AP, Hyd Lr.No.SRP2/361/09, DT:24.10.09.

O R D E R:

The Secy.to CCLA, AP, Hyderabad has informed that the Special Collector, Land Acquisition, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.510/96 pertaining to Nettempad (V) Dharoor (M) of Mahabubnagar District. The then Special Deputy Collector, LA, PJP, Gadwal had acquired the dry land to an extent of Ac.166-32 gts in the limits of Nettempad (V) Dharoor (M) vide Award No.10/1993, dt:06.03.1993 by fixing the market value @Rs.16,000/- per acre for the purpose of submergence under PJP. Aggrieved with the market value awarded by the LAO the awardees have filed petitions U/s.18 (1) of the L.A.Act with a request to refer the matter to the Civil Court for adjudication. The Sr.Civil Judge, Gadwal had delivered the judgment on 14.12.2005 in O.P.No.510/1996 by enhancing the market value from Rs.16,000/- to Rs.30,000/- per acre for Category-II. The Spl.Collector, SSP, Kurnool has sanctioned an amount of Rs.97,412/- in respect of O.P.No.510/1996 under G.O.Ms.No.9, Fin &W&P) Deptt, dt:09.07.2004 vide Proceedings No.B3/309/07, dt:30.04.07 and the same amount was deposited in the court of the Sr.Civil Judge, Gadwal on 14.08.2007. The G.P for Appeals, H.C, Hyd has informed that the claimants had filed Appeal before the Hon'ble High Court of A.P, Hyd. The Appeal came up before the Hon'ble Court on 10.12.008 and the Hon'ble Court was pleased to allow the appeal as the same is covered by the Judgment of the Hon'ble H.C in A.S.No.1182/96 & batch, dt:19.03.1998, wherein the court has enhanced the market value of the acquired land Rs.30,000/- to Rs.36,000/- per acre. The Hon'ble H.C of A.P, Hyd has fixed the market value @Rs.36,000/- per acre on 10.12.2008 vide A.S.No.555/08.

- 2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.55,167/- (Rupees Fifty five thousand one hundred and sixty seven only)** in respect of O.P.No.510/1996 pertaining to Nettempad (V) Dharoor (M) of Mahabubnagar District subject to verification whether the reference under section.18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under "4701- SMJH – 01 – Major Irrigation – M.H.122 – Jurala Project G.H.11 – NSP – S.H (26) – Dams and Appurtenant works - 530 – Major works – 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the proposal requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.1884/F2(2)/2009-1, dated:30.05.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA
SECRETARY TO GOVERNMENT

To
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.
The Special Collector, LA, Bheema Project, Mahabubnagar.
The Chief Engineer, MBNR, Jalasoudha Buildings, Erramanzil, Hyderabad.
The SDC, LA, PJP, Gadwal, Mahabubnagar.
The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).
Finance (W&P) Department/File C.No.10549/LA.III(A2)/2009
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER